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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHN WILLIS RICHARD, 91A0169,

Plaintiff,

-v-

11-CV-6013P

ORDER

ANTHONY ANNUCCI, Deputy Commissioner and Counsel of DOCS; KAREN BELLAMY, Assistant Director of Grievance, DOCS; MS. DIGREAN, Senior Correctional Counselor, Five Points Correctional Facility; BRIAN FISCHER, Commissioner DOCS; LT. GIANNINO, Lieutenant, Five Points Correctional Facility; G. GUINEY, Deputy Superintendent of Security, Five Points Correctional Facility; CHRISTOPHER LINDQUIST, Assistant Director of Grievance, DOCS; JOHN NUTTALL, Deputy Commissioner of Programs, DOCS; N. PARRISH, Educational Supervisor, Five Points Correctional Facility; THOMAS POOLE, Superintendent of Five Points Correctional Facility; Commissioner, Mr. ALBERT PRACK, Director of Special Housing Unit Program, DOCS; THOMAS TAREA, Senior Correctional Counselor, Five Points Correctional Facility; and Ms. ZENZEN, Deputy Superintendent of Programs, Five Points Correctional Facility;

Defendants.

Plaintiff has submitted a complaint to the Court and seeks permission to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. In order for the Court to grant the request, it needs sufficient information on which to base its determination.

Here, the documentation plaintiff has submitted is inadequate to permit the Court to evaluate the request, because plaintiff has neglected to have prison officials complete the required prison certification section of the application form, without which the Court cannot grant the request and put the case forward. Because this section of the application form must be completed and signed by a prison official, plaintiff may have until **April 12, 2011** to submit a supplementary application which includes a completed prison certification section.

The Clerk of the Court is directed to send plaintiff a new form application to proceed as a poor person.

By **April 12, 2011**, plaintiff must either submit the supplemental application form with a completed and signed prison certification or pay the full filing fee of \$[5 or 350 (fee)].00. Plaintiff is forewarned that failure to comply with this order by either submitting the supplemental application with a signed certification section or paying the filing fee by the designated date will result in the dismissal of this case without prejudice.

If plaintiff has not complied with this order by **April 12, 2011**, the Clerk of the Court is directed to close this case as dismissed without prejudice without further order.

SO ORDERED.

S/ MICHAEL A. TELESKA
MICHAEL A. TELESKA
United States District Judge

Dated: March 9, 2011
Rochester, New York